Releby certify that this correspondence is being deposited the United States Postal Service, with sufficient posige, as first class mail in an envelope addressed to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 on May 14, 2004 Date of Deposit John G. Rauch Name of applicant, assignee or Registered Representative Date of Signature

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OFFICE OF PETITIONS

Our Case No. 1981/637

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re A	pplication of:)	
Fred L.	. Starkey)	
Serial No. 09/758,668)	Examiner: D. Goins
Filing Date: January 11, 2001))	Group Art Unit No. 2632
For	METHOD AND APPARATUS FOR COMMUNICATION OF DATA IN A REMOTE TIRE MONITORING SYSTEM))	

PETITION UNDER 37 C.F.R. § 1.78(a)(6)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. 1.78, Applicant respectfully petitions for acceptance of an unintentionally delayed claim for priority und 35 U.S.C. § 119(e) for the benefit of a prior filed provisional application.

05/19/2004 MGEBREM1 00000007 09758668 1330.00 OP 01 FC:1454 Adjustment date: 09/02/2005 AKELLEY 05/19/2004 MGEBREM1 00000007 09758668 Repln. Ref: 09/02/2005 AKELLEY 0011305700 DA#:231925 Name/Number:09758668 \$1330.00 CR

FC: 9204

Application no. 09/758,668 Petition dated: May 14, 2004

REMARKS

Applicant requests that the application be amended as shown below to add a reference to a prior filed provisional application number 60/176,165, filed January 14, 2000. In accordance with 37 C.F.R. § 1.78(a)(6), Applicant states as follows:

(1) Applicant requests that the Application be amended in the following manner to add a reference to the prior-filed provisional application number 60/176,165:

Please add the following new paragraph on page 1 of the Application, after the title and before the heading "BACKGROUND":

--This application claims the benefit of provisional application serial number 60/176,165, filed January 14, 2000, in the name of Fred L. Starkey.--

- (2) The entire delay between the date the claim for priority was due under 37 C.F.R. § 1.78(a)(5)(ii) and the date the claim is filed herein is unintentional.
- (3) The reference required by 35 U.S.C. 119(e) and 37 C.F.R. § 1.78(a)(5) is provided herein. This reference has not been previously presented in the Application itself. The Declaration signed by inventor Fred L. Starkey on 8 January 2001 and filed with the Application on January 11, 2001 did include a claim to priority of provisional application number 60/176,165.
- (4) Attached is a check for \$1330.00 for the Petition fee under 37 C.F.R. § 1.17(t). Charge any additional fee required or credit for any excess fee paid to Deposit Account No. 23-1925. A duplicate copy of this Petition is attached.

Application no. 09/758,668 Petition dated: May 14, 2004

Grant of this petition and addition of the reference to the prior filed provisional application is respectfully requested.

Respectfully submitted,

John G. Rauch

Registration No. 37,218 Attorney for Applicant

May 14, 2004 BRINKS HOFER GILSON & LIONE P.O. BOX 10395 CHICAGO, ILLINOIS 60610 (312) 321-4200